Pho: Trotter

THE Perjur'd Phanatick:

Or the Malicious Conſpiracy of

Sr. *JOHN CROKE* of CHILTON,
HENRY LARIMORE
and other PHANATICKS,

AGAINST THE

LIFE of *Robert Hawkins* Clerk,

And late Miniſter of CHILTON,

Occaſioned by his Suit for TITHS.

Diſcovered in a

TRYAL

AT

ALISBURY

Before the Right Honourable

Sir *MATTHEW HALE*

Then Lord Chief BARON of the EXCHEQUER

AND

Lord Chief JUSTICE of ENGLAND:

Publiſhed by his Lordſhip's Command.

LONDON:

Printed for *Joſeph Hindmarſh*, Bookſeller to his Royal Highneſs, at the *Black Bull* in *Cornhil*, 1685.

TO THE READER.

THere are two Queſtions which every one that looks on this Tryal will be apt to put, and expect a Reſolution: viz. *Why was not this Publiſhed ſooner? and why now?* The anſwer to the former depends on matter of Fact, (*ſo that as it can have no more credibility, ſo it demands as much as the ſerious Proteſtation of a Chriſtian and a Miniſter can give it:*) and will be a fit introduction to the Reply to the ſecond Query, and I hope both together will give ſufficient ſatisfaction. A very good friend of mine, and near Relation of Sir John Croke engaged me not to do it whilſt he lived; 'twas hard to forbear ſo long, and ſuffer my Innocence to be ſo publickly aſperſed, and not receive as publick a Vindication. The Conſpirators had their Agents abroad, who publiſhed and very zealouſly heightned the Crimes they themſelves had forged: many years the Plot had been contriving and endeavoured to be brought forth in moſt of the Courts in England: My Credit defamed, falſe Arreſts, and Excommunication procured, violent Entrys made upon my Church and threats us'd (barbarous Malice) to thoſe Women who came to aſſiſt my Wife in Travail: But Juſtice prevailed againſt their Malice, I had right upon my ſide, and baffled their Contrivances: Then the grand Roguery was brought upon the Stage, and they took Counſel together to take off the Juſt

Man, becauſe he was unprofitable to them; *They had heard that a dead Lion could not bite, and reſolved to make the Experiment on Me. Yet tho the Provocations were ſo great, the Obligations my Friend had put upon me prevailed, and I ſpared the Family, that He might not ſee the Evil which they had brought upon themſelves in his dayes: Beſides, as to the neighbouring places, Juſtice had done me Right, and ſecured my Reputation, both by the Acquittal, and the encouragement it gave me (the Lord Chief Baron himſelf directing the Proceſs for ſpecial Baile) to Proſecute ſeveral of the Conſpirators: A hearty ſubmiſſion and reaſonable compoſitions were the eaſieſt terms that could be allowed:* Larimore *paid* 30 l. Thomas Croxton, 44 l. Tho. Beamſly, 20 l. Mayn, 15 l. Nicholas Sanders, 12 l. *The reſt their Poverty ſecured, and Sir* John Croke *loſt his Commiſſion. So much in anſwer to the firſt queſtion: which might be partly applied to the Second, and with what I ſhall farther add I hope make a juſt reply: I have lately heard this Tryal more talked of than formerly, ſome notable Evidences of the preſent times prompted ſeveral Mens Curioſity to look back into what had been formerly done; and this Account convinc'd them that 'twas no new thing for Fanatical Villains to Plot, Contrive, and be Perjur'd for leſs matters than Rule and Empire,*

Beckly, *Nov.* 13, 1684. *R. H.*

THE

THE TRIAL.

UPon *Tueſday*, being the 9th. of *March*, 1668. I went to *Alisbury*, and got thither about four of the Clock in the Afternoon, and about the ſame time, came in the Reverend Judges, *viz.*

Sir *Matthew Hale* Knight, (then Lord Chief Baron of His Majeſties Court of *Exchequer*, but now) Lord Chief Juſtice of *England*: and *Hugh Windham* Serjeant at Law. And upon *Wedneſday* the tenth of *March*, the Aſſizes began, and in the afternoon of the ſame day, *Larimore* (by the advice of Sir *John Croke* who had then got leave to come to the Aſſizes) carried his Bill of Indictment againſt me, to the Grand Jury, their names were as followeth,

John Hill, Gent.
Samuel Grange, Gent.
Richard Cokeman, Gent.
Jacob Sale, Gent.
Thomas Redding, Gent.
Thomas Berringer, Gent.
Clement Summerford, Gent.
John Winter, Gent.
John Burnham, Gent.
Ralph Rice, Gent.
Jonathan Tomlins, Gent.
William Barret, Gent.
John Butterfield, Gent.
William Pedder, Gent.
John Fosket, Gent.
John Sare, Gent.
John Merydale, Gent.
Robert Worrel, Gent.
George Wells, Gent.
In all Nineteen.

Theſe were the Gentlemen of the Grand Inqueſt for the Body of the County of *Buckingham*, and unto them the foreſaid *Larimore* exhibited his Bill of Felony againſt me, the Sum, and Subſtance of it, was as followeth,

The Grand Inqueſt for our Sovereign Lord the King upon their Sacred Oaths preſent, that Robert Hawkins *late of* Chilton, *in the County aforeſaid Clerk, did upon the* 18*th. of* September, *in the* 20*th. year of the Reign of our Sovereign Lord* Charles *the II. By the Grace of God, of* England, Scotland, France, *and* Ireland *King, Defender of the Faith, &c. with Force, and Arms, &c. at* Chilton *aforeſaid, in the County aforeſaid,*

two Gold Rings, each of them at the value of ten ſhillings, one white Holland Apron, of the value of one ſhilling ſix pence, two pieces of Gold, each of them at the value of ten ſhillings, and nineteen ſhillings in Silver of the Goods and Chattels of Henry Laurimore, *in the Pariſh, and County aforeſaid, then and there being found, then and there Feloniouſly he did Steal, take, and carry away, contrary to the Peace, &c.*

This Bill was Signed by the Grand Jury, *Bills Vera*, and Returned to my Lord Chief Baron *Hale*, who then ſate on the Crowns ſide, (or upon Life and Death) about ſix of the Clock at night.

Upon *Thurſday* the 11th. of *March*, 1668. my Lord Chief Baron came to the Hall about eight of the Clock in the morning, and the Court being ſet, I rendred my ſelf willing to be tryed according to the Laws of this Kingdom. And when the Clerk of the Aſſizes ſaw me bow to the Court, he then informed my Lord (and ſaid) this is Mr. *Hawkins*, who ſtands Indicted for Felony, and then the Clerk of the Arraigns read the Bill, which was Signed, and Returned, as beforeſaid; and then I was ſet to the Bar, without any other Priſoners.

The Clerk of the Arraigns ſaid, *Robert Hawkins* hold up thy hand, which I then did, and then the Clerk Read the Indictment againſt me as followeth,

YOu ſtand Indicted in Alisbury, *in the County of* Bucks, *by the name of* Robert Hawkins, *late of* Chilton *in the County aforeſaid, Clerke, for that you the ſaid* Robert Hawkins *(not having the fear of God before your eyes,) upon the* 18th. *of* September, *in the* 20th. *Year of the Reign of our Sovereign Lord,* Charles *the II. By the Grace of God, of* England, Scotland, France *and* Ireland *King, Defender of the Faith,* &c. *With Force and Arms, &c. at* Chilton *aforeſaid in the County aforeſaid into the dwelling-houſe of one* Henry Larimore, *Feloniouſly did enter, and two Gold Rings at the value of ten ſhillings each of them, one white Holland Apron, of the value of one ſhilling and ſix pence, two pieces of Gold, each of them at the value of ten ſhillings, and nineteen ſhillings in Silver, of the Goods and Chattels of him, the ſaid* Henry Larimore, *then, and there being found, then and there Feloniouſly you did ſteal, take, and carry away, contrary to the Peace of our ſaid Sovereign Lord the King, His Royal Crown and Dignity, &c.*

How ſay'ſt thou *Robert Hawkins*, art thou guilty of the Felony whereof thou ſtandeſt Indicted, or not Guilty?

Robert Hawkins, Not Guilty my Lord.

Clerk. How wilt thou be tried?

Rob. Hawk. By God, and the Country.

Clerk.

Clerk. God ſend you a good Deliverance.
Court. Call the Jury, which the Clerk did.

Cryer, Call theſe, *viz.*

Richard Lambourne
James Reynolds Jun.
Robert Hoare, I challenged him
L. C. B. Set him by.
Edward Butler.
Tho. Coles, I challenged him.
L. C. B. Set him by.
Richard Hearneſe.
Thomas Sanders of *Chilton* was Challenged by *Larimore*, contrary to Cuſtom.
Edward Carter.
John Goodwyn.
William Porter.
John Ringham.
William Cannon Jun.
William Welch.
Edward Cope.
Francis Ruſhell.

All theſe being in number 15. but three of them were challenged, two of them by me, (I being informed) they were no friends to the Church of *England*; and for the third, *viz.* Mr. *Tho. Saunders*, he was challenged by *Larimore* contrary to cuſtom, without ſhewing any reaſon, he being a Neighbor that knew us both, and the buſineſs better than any of the reſt of the Jurors. The other twelve were ſworn as followeth,

Clerk. Rob. Hawkins, Hold up thy hand, which I did.

Marſhal. Richard Lambourne, Lay thy hand upon the Book; look upon the Priſoner,

YOU ſhall well and truly Try, and true Deliverance make between our Sovereign Lord the King, and the Priſoner at the Bar, whom you ſhall have in Charge according to your Evidence, So help you God: Kiſs the Book. And ſo were all the reſt Sworn.

Clerk. Cryer count theſe. *Richard Lambourne, James Reynolds*, two, &c. twelve good men, and true, ſtand together, and hear your Evidence.

Clerk Cryer make a Proclamation.

O Yes, *&c.*

IF any man can inform my Lords, the Kings Juſtices, the Kings Sergeant, or the Kings Attorney, of any Murders, Felonys, or Treaſons, Done, or Committed by the Priſoner at the Bar, before this Inqueſt be taken, between our Sovereign Lord the King and the Priſoner at the Bar, let them come forth, and they ſhall be heard, for now the Priſoner at the Bar ſtands upon his Deliverance. And all others bound by Recognizance to give in Evidence againſt the Priſoner at the Bar, come forth and give your Evidence, or elſe you will forfeit your Recognizances.

Clerk.

Clerk. Cryer call the Witneſſes,

Henry Larimore Sen. the Proſecutor.
Richard Mayne Jun. Conſtable.
Tho. Beamſly. Tythingman, (Brother in law to the ſaid *Larimore*)
Dodſworth Croke Eſquire, (Sir *John Crokes* eldeſt Son.)
John Cox.
Henry Larimore Jun. (Son to the ſaid *Larimore*, near twenty years old and not Baptized.)
Mary Keen.
Joan Beamſly, Siſter to the ſaid *Larimore.*)
Margaret Larimore, (wife to the ſaid *Larimore.*)
John Chilton.
William Croke Gent. (Son to Sir *John Croke.*)
John Boyſe.
Thomas Welch.
Samuel Salter.
John Stop (Sir *John Crokes* Man.)
Francis Luce.
William Mantill, alias *Miles*, (Nephew to the ſaid *Larimore.*)
Richard Mantill, alias *Miles*, (Brother-in-Law to the ſaid *Larimore.*)
Tho Croxtone, of *Weſton* on the Green, in the County of *Oxon*, Yeoman.
Nicholas Sanders,
Chriſtopher Bethum.
Edward Good of *Long Crendon*, Clerke, (a perſon that committed a Ryot and forcible Entry upon my Church at *Chilton.*

All theſe (being in number 22.) were Witneſſes procured (by Sir *John Croke* and *Larimore*) and Sworn againſt me.

Clerk. Rob. Hawkins, Hold up thy hand. Which I did.

Here the Indictment was again Read.

The Clerk ſpeaks to the Jury thus, Look upon the Priſoner you that be Sworn. You ſhall underſtand that the Priſoner at the Bar hath been Arraigned upon this Indictment, and thereunto hath pleaded not Guilty, and for his Tryal hath put himſelf upon God and the Country, which Country you are. Your Charge is, to enquire whether the ſaid *Rob. Hawkins* be guilty of this Felony (in manner and form as he ſtands Indicted,) or not guilty; if you find him Guilty, you ſhall inquire what Goods and Chattels, Lands and Tenements he had at the time of committing this Felony, or at any time ſince; if you do find him not guilty, you ſhall enquire if he fled for the ſame; if you do find that he fled for the ſame, you ſhall enquire what goods and Chattels as if you had found him guilty; if you find him not guilty, and that he did not flee for the ſame, you ſhall ſay ſo, and no more, and hear the Evidence.

Henry Larimore the Proſecutor was ſworn as followeth, Mr. *Larimore*, lay your hand upon the Book; look upon the Priſoner.

The Evidence that you ſhall give unto the Court, and to the Jury, between our Sovereign Lord the King, and the Priſoner at the Bar, ſhall be the truth, the whole truth, and nothing but the truth, *So help you God.* Kiſs the Book.

Here

Here I took Pen, Ink, and Paper, to take Notes at the Bar.

Larimore ſaid, (May it pleaſe your Honour my Lord,) upon *Friday* the 18th. of *Sept.* in the year of our Lord 1668. between twelve and one of the Clock at Noon, I lock'd my doors faſt, and left no body in my houſe; putting the Keys in my Pocket, I went to a Hemp-plot (about two Furlongs from my Houſe) to pluck Hemp, where I, (and the reſt of my Family) continued till an hour and half of Sun-ſet, and then coming home, found my doors wide open, ſo I went in, and run up the Stairs, into my Chamber, (or upper Loft, over my inward Chamber where I lye,) I then hearing a noiſe (in the Chamber where I lye, juſt under me,) I peeped down through ſome of the chinks of the Loft-boards, there I ſay this Mr. *Hawkins* (pointing with his left hand towards me, but having his face all that time towards the Judge) ranſacking and rifling of a Box, in which Box was (then amongſt other Goods) one white Holland Apron, a Purſe, and in that Purſe was, (at that time) two gold rings, (each of them of the value of 10 s.) two ten ſhillings pieces of Gold, and 19s. in Silver, all the which ſaid Gold Rings, Gold, and Silver, (except one ſmall piece of Silver or two) I then ſaw this Mr. *Hawkins* (that is now the Priſoner at the Bar,) take, and turn out of this very Purſe, (which I do now ſhew unto your Honour) and he did then ſteal and carry away all the foreſaid Rings and Money, (with the ſaid *Holland* Apron;) All theſe things (My Lord) I ſaw him take *out of my Box, and Purſe*, (for I was all that time looking through the chinks of the Board:) And when Mr. *Hawkins* heard ſome noiſe (above) I further ſaw the Priſoner now at the Bar, go out of my ſaid Lower Room where my Box was, and glanc'd by the Stair-foot-door, and ſo run out of my houſe, with a great bunch of Keys in his hand, down my Yard, and hid himſelf in a Cloſe (where there were ſome Beans and Weeds.) All this, my Lord, I ſaw with my own eyes. Moreover (my Lord) I having a Warrant from Sir *Richard Pigott* to ſearch for the ſaid Rings and Money, &c. I did upon the next day (it being *Saturday*, and the 19th. of *September*, after Mr. *Hawkins* had robb'd me,) I called *Richard Mayne* Jun. the Conſtable, and Mr. *Tho. Beamſly* Tithingman, with ſome others of our Town to ſearch Mr. *Hawkin*'s houſe for my ſaid Money, and Goods, (which the day before, I ſaw him ſteal from me,) but he refuſing to open his doors (or to let us ſearch) when we ſaw that, the Conſtable broke open his doors, and then we went in, and ſearching his houſe I did then find in an inward Room below Stairs, in a Basket hanging on a pin, (put amongſt papers and rags, and other trumpery,) this Gold Ring, and this five ſhilling piece of Silver, And I do Swear, that this Ring and piece of Silver is one of the ſame Rings, and pieces of Silver which the day before I ſaw the Priſoner (now at the Bar) take out of this very Purſe, it being *Friday*, the 18th of *September*, and an hour and half before Sun-ſet. This was the Sum and

Subſtance of *Larimore*'s Evidence, whereupon my Lord Chief Baron asked *Larimore* theſe Queſtions.

Lord Chief Baron Hale. Are you ſure (*Larimore,*) that you left your doors lock'd, when you went out to pluck Hemp.

Larimore, Yes my Lord, I am ſure I did.

L. C. B. When?

Lar. Between twelve and one of the clock at noon my Lord.

L. C. B. Upon what day was it?

Lar. It was upon the 18th. of *September* laſt paſt, my Lord.

L.C. B. Upon what day of the week was it?

Lar. It was upon *Friday* my Lord,

L. C. B. In what year was it?

Lar. It was in the year of our Lord 1668. my Lord.

L. C. B. Are you ſure that your Chamber door where your Box ſtood was lockt at that time?

Lar. I cannot (certainly) tell my Lord.

L. C. B. Was the Box lockt at that time?

Larimore to this Queſtion paus'd a while, and gave no anſwer.

Marſhal. My Lord deſires to know whether your Box was lock'd (at that time) when you loſt your money, and goods out of it.

Lar. It was lockt, my Lord.

Clerk. Was it at that time lockt, (by the Oath you have taken.)

Lar. It was Lockt, if it ſhall pleaſe your Honour.

L. C. B. Were the Locks of the doors and Box broken?

Lar. (My Lord) I cannot certainly tell, but I do believe that they were pickt open with ſome pick-lock, (or falſe key.)

L. C. B. Did you ſee him, that is now the Priſoner at the Bar, in your Houſe at that time, and in that poſture, by the Oath you have taken.

Lar. I did then ſee him that is now the Priſoner at the Bar in my houſe, my Lord, as I ſaid before.

L. C. B. At what time of the day was it that you ſaw him in your houſe.

Lar. It was an hour and an half before Sun-ſet.

L. C. B. Said to me, Sir, will you ask *Larimore* any queſtions before we call more Witneſſes?

Rob. Hawkins, Yes my Lord, if I may have leave.

L. C. B. Sir, you may proceed to your queſtions.

Hawkins. I humbly thank your Honour.

Hawkins. I pray my Lord, ask *Larimore* if he be ſure that I am the perſon that robbed him.

L. C. B. Larimore, anſwer to the Queſtion.

Lar. Yes my Lord, I am ſure he is the perſon that robbed me, for I know him very well.

Hawk. Why did you ſay before Sir *John Croke,* when I was before him, that you could not ſay that I had ſtoln them.

Lar.

Lar. I ſaid no ſuch thing, this all that were there can juſtifie.

Hawk. (My Lord) I deſire to know of *Larimore* if he be ſure that it was upon a *Friday*, and the 18th. of *September*, 1668. and an hour and half before Sun-ſet, when he ſaw me in his houſe, robbing him.

Lar. Replied, that it was upon that day and time, as near as he could gueſs.

Hawk. Why (when *Larimore* found his doors open, which he expected to have found locked,) did not he call ſome of his Neighbors, to aſſiſt him in ſearching his houſe, and to ſecure me, (or any other perſon which he might find robbing him,) rather than to run up Stairs (by himſelf) to alarm any perſon that was in his houſe, and thereby giving them opportunity to eſcape.

Larimore ſaid, he did not then ſo well conſider of it as now; but (beeing willing, ſeeing his doors open) ran up the Stairs to know what the matter was, and looking through the chinks of the Loft, ſaw me in his houſe, as aforeſaid.

Hawk. Larimore, did you ſpeak to me when you ſaw me, or endeavour to ſtay me?

Lar. Replied, that he was (for that time) ſo amazed, that he could not ſpeak to me.

Hawk. (My Lord) I think he is ſtill in great amazement.

Hawk. Lar. Was my houſe the firſt, or the only houſe you ſearched?

Lar. Replied, no.

Hawk. If you ſaw me commit the Robbery in your Houſe, why then did you ſearch other houſes for the Goods which you ſaw me ſteal?

Lar. Replied to this, that he had been robbed at ſeveral other times.

Hawk. Why did not you then rather ſend out Hue and Cryes to apprehend my perſon, than to ſearch my houſe; and why did not you charge me with flat Felony before Sir *Richird Pigott*, of whom you had your Warrant? if you ſaw me rob you.

Lar. To theſe Queſtions made no direct anſwer.

L. C. B. Mr. *Hawkins*, will you ask *Larimore* any more Queſtions?

Hawk. No my Lord (not at preſent) but when I come to my Defence, I hope I ſhall be heard.

L. C. B. You ſhall be heard (at large,) and ſo ſhall they.

Hawk. I humbly thank your Honour.

Clerk. Aſſ. *Larimore*, who ſhall be next called?

Lar. Call *Henry Larimore* the younger.

Clerk. Cryer. Call *Henry Larimore* the younger.

Cryer. Henry Larimore the younger: who anſwered, here Sir.

Marſhal. Lay your hand upon the Book, look upon the Priſoner.

Hawk. My Lord, may I be heard a word.

L. C. B. Yes Sir, you may go on.

Hawk. I humbly thank your Honour.

Hawk.

Hawk. (My Lord) Is it uſual to admit perſons that are not Baptized to give evidence upon a tryal of Life and Death; for that perſon which is now about to be ſworn, (I ſuppoſe) is not Baptized.

L. C. B. Sir, a perſon that is not Baptized, may be ſworn, and give Evidences in caſes of Felony.

Hawk. (My Lord) I ſubmit, but am not fully ſatisfied in it, and if occaſion be I ſhall crave Counſel in that point, it being matter of Law, and not of Fact.

L. C. B. The Jury may conſider of it.

Hawk. (My Lord) I doubt not but they will weigh of what validity the Oath, and evidence of ſuch a perſon is.

Mar. Larimore the younger, lay your hand upon the Book, look upon the Priſoner.

The Evidence that you ſhall give to the Court, between our Sovereign Lord the King, and the Priſoner at the Bar, ſhall be the truth, the whole truth, and nothing but the truth, So help you God. Kiſs the Book.

Larimore Jun. My Lord, upon the 18th. of *September*, I came home a little after my Father, and coming in the yard, I ſaw this Mr. *Hawkins* (that is now at the Bar) run out of my Fathers houſe, with a great bunch of keys in his hand, and run down my Fathers Yard, and hid himſelf in a cloſe with Beans and Weeds, and when I came into my Fathers houſe, I asked him what Mr. *Hawkins* did there, he anſwered me, that he had done too much there, for he had robbed him.

L. C. B. What day of the week was it?

Lar. Jun. It was upon a *Friday.*

L. C. B. In what Year was it?

Lar. It was this laſt *September*, my Lord.

L. C. B. Will you ask him any queſtions?

Hawk Yes my Lord (if I may be permitted.)

L. C. B You may proceed to your Queſtions.

Hawk. I humbly thank your Honour.

Hawk. Larimore, are you ſure that I am the perſon which you ſaw run out of your Fathers houſe?

Lar. Yes, I am ſure that you are the ſame perſon that I then ſaw run down my Fathers Yard.

Hawk. What time of the day was it when you ſaw me?

Lar. It was an hour and an half before the Sun was down.

Hawk. Was your Father within when you came there?

Lar. He was within when I came there, and I asked him as aforeſaid.

Hawk. Did your Father ſay no more to you, than what you have related? and did not he enquire which way I ran, or went?

Lar. He ſaid no more, but that you had robbed him.

Hawk. My Lord, and you of the Jury, Is it likely, that when the Father had ſeen me commit a Robbery in his houſe, and the Son coming in immediately upon it, that the Father would not ask of him which way I went?

Hawk.

Hawk. (My Lord) I have done with him at preſent.

Lar. Sen. My Lord, pray let *Joan Beamſly* be called next.

Clerk. Cryer, call *Joan Beamſly.*

Cryer, Joan Beamſly. She anſwered, here Sir.

Joan Beamſly, Lay your hand upon the Book, look upon the Priſoner. The Evidence that you ſhall give ſhall be the truth.

Joan Beamſly. May it pleaſe your Honour (my Lord) upon *Fryday* the 18th. of *Septemb.* laſt paſt, about an hour and half before Sun-ſet, as I was going to Milking in the Street (near *Larimores* houſe) I met *Henry Larimore* the yonger, and being (at that time) much troubled with the Tooth-ach, I told him of it, deſiring him to help me to ſome hot water, for I believed that might give me eaſe, *Larimore* replyed, that if I would go with him to his Fathers houſe, he would help me to ſome; ſo going both together, we ſaw this Mr. *Hawkins* (that is now the Priſoner at the Bar) run out of *Larimores* houſe with a great bunch of Keys in his hand, and run down *Larimores* Yard into a Cloſe of Beans and Weeds, and there hid himſelf; and when we came into *Larimores* houſe I there heard young *Larimore* ask his Father what Mr. *Hawkins* did there, *Larimore* told his Son that he had done too much there, for he had robbed him. When my Lord Chief Baron *Hale* heard how theſe three Witneſſes agreed in their Evidence, he ſaid, here is enough Sworn (if believed) to hang twenty men.

Hawk. I doubt not but to clear my ſelf, notwithſtanding their evidence, if I may be heard.

L. C. B. You ſhall be heard.

Hawk. I humbly thank your Honour.

L. C. B. Larimore, have you any more Witneſſes?

Lar. Yes, (if it may pleaſe your Honour) a great many more.

L. C. B. Who are they? call them.

Lar. Call *Richard Mayne,* Conſtable.

Clerk. Cryer, call *Richard Mayne,* Conſtable.

Cryer. Richard Mayne Conſtable, who anſwered, here Sir, and being ſworn, ſaid as followeth.

Mayne. My Lord, upon *Saturday* the 19th. of *September* laſt paſt, came *Henry Larimore* Sen. to me, and giving me a Warrant from Sir *Richard Pigott* to Search, commanding me (amongſt others) to ſearch Mr. *Hawkins* for ſome Money and Goods, which he had loſt; and when I ſaw his Warrant, I went to *Tho. Beamſly* Tythingman, and charged him, with three or four others, to aſſiſt me, and coming to Mr. *Hawkin's* Houſe, he denying to open his doors, I broke them open, and I went into his houſe, and *Henry Larimore* Sen. did find in a basket this Gold Ring, and Five-ſhilling piece of Silver, (Mr. *Hawkins* himſelf being by whilſt he found them) ſo we had him before Sir *John Croke,* who committed him to Priſon, and ſo on Sunday morning we brought him to *Alisbury.* This alſo was Sworn by *Dodſworth Croke,* Eſq; *Tho. Beamſly,* and young *Larimore.*

L. C. B. Said to me, will you ask theſe witneſſes any Queſtions?

Hawk. Yes my Lord (if I may be permitted.)

L. C. B. You may go on to your Queſtions.

Hawk. I humbly thank your Honour.

Hawk, Mayne Conſtable, did *Larimore* deſire you to ſearch my houſe alone, and did he then tell you, that he ſaw me rob him the day before?

Conſtable. Larimore did deſire me to ſearch ſeveral houſes, but did not ſay to me that he ſaw you rob him.

Hawk. Where is the Warrant upon which you broke open my houſe? I deſire to ſee it.

Conſt. Here it is,

Hawk. Was it *Larimore* himſelf that found the Ring and Five-ſhilling piece?

Conſt. It was *Henry Larimore* the elder that found it.

Hawk. Was I in the ſame room when he found them?

Conſt. You were in the ſame Room when he found them.

Hawk. This was proved falſe, by Mr. *Charles Wilcox*, and *Nicholas Faulkner*, which perſons kept me in the Hall, whilſt they pretended to find them in the Buttery.

Hawk. Conſtable, why did you compell me to go before Sir *John Croke*, which you knew was my adverſary?

Conſt. We did not force you before him.

Hawk. This I proved to be ſo, by *Michael Reed* Gent. Mr. *Tho. Saunders*, Mr. *Wilcox*, Mr. *Goulder*, *Robert Caſemore*, and many others that ſaw it.

Hawk. Conſt. Why did you adviſe the Jaylor, Mr. *Burch*, to load me well with Irons?

Conſt. I did not adviſe him to do ſo.

Hawk. Pray (my Lord) ask the Jaylor, Mr. *Burch*, what the Conſtable ſaid to him, when he brought me thither.

Clerk. Mr. *Burch*, inform the Court what the Conſtable ſaid to you, when he brought Mr. *Hawkins* to you as a Priſoner.

Jaylor. (My Lord) when the Conſtable delivered Mr. *Hawkins* to me, on *Sunday* morning, he ſaid, that Mr. *Hawkins* was a notorious picklock, and that he was confident he could pick every lock about the Priſon, and therefore he adviſed me to watch him narrowly, and load him well with Irons.

Thomas Beamſly being Sworn, his Evidence being the ſame in effect with the Conſtable's; for brevity ſake I omit, but I craved leave to ask him a Queſtion or two, which being granted were as followeth.

Hawk. Beamſly, Pray what diſcourſe had you with Mr. *Wilcox* upon the 19th. of *September* (preſently after my houſe was broken up) concerning the time when, (as your Brother pretended to you) he loſt the Ring, and five-ſhilling piece of Silver?

Beamſly. He did not remember that he had any diſcourſe with Mr. *Wilcox* about that.

Hawk. Did you not ſay to Mr. *Wilcox*, that your Brother *Larimore* told you that he had loſt the Stone Rring, and five-ſhilling-piece of Silver, which (as he pretended was found in my houſe) before

before the difference began betwixt me and your Brother; and moreover that your Brother ſaid he had an intent to ſearch for the ſame a month before?

Beamſly replied, that he did not remember any ſuch diſcourſe.

Hawk. My Lord, may I be heard a word or two.

L. C. B. You may go on.

Hawk. I humbly thank your Honour.

Hawk. (my Lord) I ſuppoſe that I can prove theſe particulars.

1. That *Larimore* told *Beamſly* that he had loſt this Gold Ring and five-ſhilling piece of Silver (now in Queſtion) before there was any difference between *Larimore* and my ſelf, which began in *Michaelmas* Term 1667. this was proved by Mr. *Wilcox.*

2. And that *Larimore* confeſs'd (upon his Oath) before Sir *John Croke*, (upon the 19th. of *Sept.*) when I was committed, that he loſt the ſaid Ring and piece of Silver about a month before, which muſt be about *Aug.* 19. This was proved by Mr. *Browne*, *Faulkner*, and others.

3. I can prove that *Larimore* told Sir *Richard Pigott*, (when he went for his Warrant to ſearch) that he did ſuſpect ſeveral perſons for robbing him of this Gold-ring and five-ſhilling piece, and that I was only one of them ſuſpected perſons, this Sir *Richard Pigott* did acknowledge to be true.

But now he ſwears that he ſaw me ſteal the Gold Ring and five-ſhilling piece out of his houſe on *Friday* the 18th. of *Sept.* an hour and half before Sunſet, 1668.

Hawk. I pray my Lord, and you that are of this Jury, take notice of this, and compare the times out of his own mouth; but more of this when I come to make my Defence.

L. C. B. Larimore, have you any more witneſſes?

Lar. Yes my Lord.

L. C. B. Call them, who are they?

Lar. Call *Margaret Larimore.*

Clerk. Cryer, Call *Marg. Larimore*, the wife of *Henry Larimore.*

Cryer, *Margaret* the wife of *Henry Larimore.* She being ſworn ſaid, that when ſhe was a Servant to *Larimore*, which now is her Husband, ſhe had ſeen Mr. *Hawkins*, at ſeveral unſeaſonable hours in the night (when her Maſter was in bed) lying lurking in and about her Maſters houſe, yard, windows, and doors, and ſaid that ſhe believed he lay there for no good intent.

Hawk. My Lord, may I ask this woman a Queſtion or two?

L. C. B. You may do ſo, if you pleaſe.

Hawk. I humbly thank your Honour. I'll promiſe you to be brief.

Hawk. At what time was it, *Margaret Larimore*, that you ſaw me lurking in your Maſters Yard as you have ſaid?

Marg. Lar. It was in the night time.

Hawk. But how long may it be ſince?

Marg. Lar. I can't tell, it might be about the time that my Maſter was Robbed.

Here *Larimore* prompts his Wife, which I told my Lord, for which he Checked him.

Hawk. Did you ſpeak, or call to me when you ſaw me there?

Marg.

Marg. Lar. No, for I was affrighted at it; this ſame was alſo ſworn by *Richard Mantill*, alias *Miles*, Son in law to the ſaid *Larimore*, and alſo by *William*, his Son, which for brevity ſake I omit farther to relate.

L. C. B. Lar. Have you any more?

Lar. (Yes my Lord) to prove that this Ring and Fiveſhilling-piece is mine.

L. C. B. Call them, who are they?

Lar. (Eſq; *Dodſworth*, Sir *John Croke*'s eldeſt Son,) and Mr. *Good*, Miniſter of Long *Crendon* my Lord.

Clerk. Cryer, Call *Dodſworth Croke* Eſq; and *Edward Good*, of long *Crendon*, Clerk, both anſwered, here Sir. They both being Sworn, Mr. *Dodſworth Croke* ſaid as followeth; (taking the Ring in his hand, turned it up and down, and looked very narrowly upon it within and without, and put it upon his finger, and pulling it off ſeveral times in the face of the Court and Country, he then informed my Lord,) that he was confident, that this was *Larimore*'s ring, and for his proof and credit, tells the Court that he had pawned it to *Larimore*.

Mr. *Good* took the fiveſhilling piece into his hand, and ſwore, that he being at *Buckingham* Seſſions laſt, about ſome trouble, which I had put him to, he then wanting ſome money, did pawn a fiveſhilling piece to this *Larimore* for other money, and he deſiring of him to take care that he had the ſame piece again, *Larimore* told him that he put a mark upon it; ſo ſeeing a mark upon this fiveſhilling piece, he ſwore that he did verily believe that this was the ſame fiveſhilling piece which he had pawned to *Larimore* at the Seſſions before.

L. C. B. Said to me, Sir, if you will ask the witneſſes any Queſtions, you may?

Hawk. I humbly thank your Honour for that freedom, but I do humbly conceive that the proving of the laſt point, *viz.* that the ring, and fiveſhilling piece was either *Larimore*'s own Goods, or pawn'd to him, is not much material to my Caſe, for I am free to confeſs, (as much as I can have ground to believe) which is, that *Larimore* might have the Ring and five ſhilling piece of ſilver in his poſſeſſion, but the Charge againſt me is, that I ſtole them from him, which I do flatly deny, and do not doubt of clearing my ſelf when I come to my Defence, if I may be heard.

L. C. B. Sir, you need not queſtion but you ſhall be heard.

Hawk. I humbly thank your Honour, and crave leave to be heard a word or two (if it be not unſeaſonable)

L. C. B. You may go on.

Hawk. May it pleaſe your Honour, and the Jury, to take notice that Mr. *Good* Swears he believes this to be the five ſhilling piece that he pawned to *Larimore* laſt Seſſions at *Buckingham*, but I deſire to know if *Larimore* Swears that this is that piece which Mr. *Good* pawned then to him, for he beſt knows.

L. C. B. Larimore, what ſay you to that?

Lar.

Lar. My Lord, I do ſwear that this is the ſame five ſhilling piece which Mr. *Good* pawned to me, the laſt Seſſions at *Buckingham.*

Hawk. Then my Lord, and the Jury, be pleaſed to obſerve, That Seſſions was held upon the 9th. and 10th. of *July*, 1668. but the Difference between me and *Larimore*, (for Tyths) was begun in *Michaelmas* Term, 1667. which is near nine Months before that Seſſions; and notwithſtanding, *Larimore* did ſay to his Brother *Beamſly*, upon the 19th. of *September*, that he had loſt this very Ring and five ſhilling piece of ſilver before the difference began, which is impoſſible (My Lord) as appears by the Oaths of *Larimore*, and Mr. *Good*, for how could he be robbed of that five ſhilling piece nine months before he had it? And that he did ſay the very words to his Brother *Beamſly* we have already proved, by the Teſtimony of Mr. *Wilcox.*

L. C. B. ſaid, Mr. *Hawkins*, was this Suit for Tyths begun by you againſt this *Larimore* before the time that *Larimore* ſwears this Felony was committed?

Hawk. Yes, my Lord, for I began that Suit for Tythes in *Michaelmas* Term, 1667. and *Larimore* Swears that I robb'd him upon the 18th. of *September*, 1668. which is (my Lord) about a year after. My Lord, it is an eaſie way thus for the Fanaticks to pay Tyths, if they can but hang up the Clergy, they may ceaſe all their future pleading for Liberty of Conſcience.

Now *Larimore* began to ſtumble, and ſhew his malice in proſecuting me unjuſtly, by his multiplying of feigned Felonies? wherewith he did (then endeavour to) load me, of which I appeared innocent.

L. C. B. Larimore, have you any more?

Lar. Yes my Lord, Pray call *John Chilton.*

Clerk. Cryer, call *John Chilton.*

Cryer, *John Chilton*, who anſwered here Sir, and being Sworn, my L. C. B. ſaid to him, come *Chilton*, what can you ſay to this buſineſs?

John Chilton ſaid, (My Lord) I can ſay nothing, but that I am paid for my Boots.

L. C. B. What Boots?

Chilt. My Lord, I am paid for my Boots.

L. C. B. Our Buſineſs is not now about Boots, but however, come, and tell me what thou meaneſt by them?

Chilt. My Lord, Mr. *Hawkins* brought me a pair of tops, to put new legs to them, which I did, and he coming by my Shop, told me he wanted his Boots, I replied, they were done, but I being then about to go out, did promiſe Mr. *Hawkins* to lay them in my Window, ſo that he might take them as he went home, which accordingly he did, and when I came home, I went to Mr. *Hawkins*, who (at that time) was at Sir *John Croke*'s houſe, where he contented me for my work before we parted, and this is all that I can ſay, my Lord.

L. C. B. What is this to the purpoſe, can you ſay any more *Chilton?* if you can go on.

Chil. My Lord, Mr. *Hawkins* paid me honeſtly for the Boots: but as ſoon as he began to demand the Tyths of *Chilton*, and did ſue for them, then they lay at me night and day, to have me charge Mr. *Hawkins* with flat Felony, for ſtealing the ſaid Boots out of my Shop, but I told them, that I laid them in my Shop-window for him, and did bid him take them as he came back, and he paid me for my work, and therefore I cannot ſay he ſtole them.

L. C. B. Who were they that deſired you to charge Mr. *Hawkins* with the ſtealing of your Boots?

Chil. This *Larimore*, Mr. *Dodſworth Croke*, *Richard Mayne* the Conſtable, *Miles*, and *John Sanders*, (who is ſince dead, my Lord) —*Larimore* here interrupted *Chilton*, and ſaid, my Lord, I have five or ſix witneſſes that can prove that all this is falſe which *Chilton* hath ſworn.

L. C. B. Call them, for I'll hear all, if I ſit till night.

Then *Larimore* call'd *Dodſworth Croke*, *William Croke*, *John Stop*, *Thomas Welch*, *Samuel Salter*, and *William Sanders*, all theſe being ſworn, the ſum, and ſubſtance of their Evidence was to this effect.

That they had heard *John Chilton* ſay that I had ſtoln a pair of Boots from him, to which *Chilton* (being then upon his Oath) ſaid, that Mr. *Hawkins* did no otherwiſe than what before I have ſworn; and he further added, that he never ſaid that I had ſtoln any thing from him, for he had no reaſon for it.

L. C. B. Did this *Larimore* deſire you to charge this Mr. *Hawkins* with Felony, and when did he deſire you to do ſo?

Chilton. My Lord, *Larimore*, and the reſt (that I have named) deſired me to charge Mr. *Hawkins* with flat Felony, for ſtealing the ſaid Boots, as ſoon as he demanded the Tyths of *Chilton*; and they would have forced me to fetch a Warrant from a Juſtice of Peace to ſearch for them, and did further threaten me, (in caſe I would not do it) that Sir *John Croke* would indict me (at the Aſſizes) as one acceſſary to the ſtealing of my own Goods.

L. C. B. Was *Larimore* one of them?

Chil. Yes (my Lord) and he ſaid, that he would make me ſwear that Mr. *Hawkins* had ſtole my Boots, and for that end did ſerve me with a *Subpœna* to be here—Here *Larimore* the ſecond time interrupted *Chilton*, and ſaid, (My Lord) this Fellow, (pointing at *John Chilton*) is hired by Mr. *Hawkins* to ſwear this.

Chil. Replied, No (My Lord,) I am not hired by Mr. *Hawkins*, to ſwear, but I might have been hired, or born out, if I would but ſwear that Mr. *Hawkins* ſtole my Boots, by one *Croxſtone*.

L. C. B. How! what is that hired, or born out to ſwear, by whom, and how, tell me the ſtory?

Chil. (My Lord,) I am not hired to ſwear by Mr. *Hawkins*, but if I would ſwear that he ſtole my Boots out of my Shop, I might

might have been born out in ſo doing. For *Tho. Croxſtone* (of *Weſton* on the Green, in the County of *Oxon*) told me (upon *Monday* laſt, it being the 8th. of *March*, 1668.) that if I would but ſwear what he would have me againſt Mr. *Hawkins*, (*viz.* that he ſtole my Boots) he would bear me harmleſs; but I replied, that it went againſt my Conſcience to do it; I added farther, that, if I ſhould be ſo wicked as to ſwear it, Mr. *Hawkins* can prove the contrary by Mr. *William Croke* and others; to which *Larimore* replied, that I need not fear what Mr. *Croke* knew in that caſe, for he is one of us, and will not juſtifie any thing that may tend to our prejudice; I farther told him that I durſt not do it, for if I ſhould, Mr. *Hawkins* might make me fly the Country, as *Smart* did *Wheeler*, to which *Croxſtone* replied, that if I would ſwear it, he would bear me out againſt the ſaid Mr. *Hawkins* as far as an hundred pound would go, and if that would not do, as far as five hundred pound would go.

L. C. B. How bear you out to ſwear, what *Croxſtone* is this that would do ſo? this is not likely to be true.

Tho. Croxſtone ſaid (My Lord,) I ſaid no ſuch thing.

L. C. B. I do not believe it to be true.

Chilton run in, and ſaid, As I live and breath, my Lord, *Croxſtone* did ſay, if I would ſwear that Mr. *Hawkins* had ſtole my Boots, he would bear me out, as I ſaid before, and if I made any doubt of it, he would give me Bond to make good his promiſe.

L. C. B. ſaid, This is ſtrange.

Croxſtone, (My Lord,) I ſaid I would bear him out in ſpeaking the truth, and no otherwiſe.

Hawk. My Lord, may I be heard?

L. C. B. Yes, you may go on.

Haw. I thank your Honour. My Lord, pray let me ask Mr. *Croxſtone* two or three Queſtions.

L. C. B. So you may, go on.

Hawk. Mr. *Croxſtone*, do you confeſs that you did promiſe to bear out *Chilton* (as you ſaid before) in ſwearing the truth?

Croxſtone. Yes Sir, I did, and no otherwiſe.

Hawk. Was it not about the Boots?

Croxſtone, Yes Sir, it was ſo.

Hawk. Did not you deſire *Chilton* to ſwear that I had ſtoln his Boots, after that he had told you I had paid him for them, and thereupon promiſe to bear him out againſt me, in a 100. or 500l?

Croxſtone, I think you cannot prove it againſt me.

Hawk. I pray my Lord, and you of this Jury, conſider that this *Chilton* is one of *Larimore*'s witneſſes, and ſwears for the King, yet he ſwears that he had given me orders to take thoſe Boots, and that I then paid him for legging of them, and that he had repeated this to *Larimore* and *Croxſtone* ſeveral times, and after all this, *Larimore*, and *Croxſtone*, (with others) us'd their utmoſt endeavors to perſwade *Chilton* to charge me with Felony, for ſtealing them, and *Croxſtone* promiſed him to bear him out in

ſo

ſo doing, as far as a 100 l. would go, and if that would not do, as far as 500 l. and give him Bond for his ſecurity, &c. My Lord, if this amounts not to a Subornation, I am miſtaken. But, my Lord, I have two witneſſes more, to prove the ſame againſt Mr. *Croxſtone*, and I pray that they may be heard.

L. C. B. Who are they?

Hawk. *Anne Scoly*, and *John*, the Son of Mr. *Tho. Sanders*. Both theſe being called, juſtified in Court, what *Chilton* had ſworn againſt Mr. *Croxſtone*: upon which my Lord Chief Baron ſaid to *Croxſtone*, Come, you did ill to ſollicit perſons to ſwear theſe things which you knew were falſe, and 'tis farther added, that this made not for the King, but rather for the Priſoner at the Bar; after all this, a rude fellow, (*Tho. Welch*) came in, and ſaid (my Lord) I did hear *Chilton* ſay, that Mr. *Hawkins* had ſtole a pair of Boots from him.

L. C. B. What, more Boots ſtill? Come *Larimore*, have you any more.

Larimore ſaid, Yes my Lord, one Mr. *Boyce*, (who being ſworn) ſaid, That at a certain time, he coming into a houſe at *Chilton*, found this Mr. *Hawkins*, (now the Priſoner at the Bar,) and one *James Noble*, (which *Noble* was then drunk, and aſleep upon a Bed,) and I ſaw Mr. *Hawkins* have his hand in *Noble*'s pocket, and the ſaid *Noble* told me, that (at that time) he loſt a Gold Ring, and a piece of Gold out of his pocket.

L. C. B. ſaid to me, Sir, what ſay you to that?

Hawk. My Lord, I deſire to know if there be any Bill or Indictment againſt me for it.

Clerk. There is none, my Lord, that I do know of.

Hawk. I deſire (my Lord) that *Noble* may be ſworn, if he be here.

Lar. He is not here, my Lord.

L. C. B. Why was not that *Noble* here (himſelf) to proſecute?

Lar. I could not find him, my Lord.

Hawk. I deſire to know whether *Boyce* came hither of his own accord, or if he be *Subpœnaed* to be here; (if ſo) by whom, and who bears his charges.

Boyce. I was *Subpœnaed* by *Larimore*, and he bears my Charges, my Lord.

Hawk. How long was it ſince (Mr. *Boyce*) that you ſaw my hand in *Noble*'s pocket, as you ſaid before?

Boyce. It may be near two years ago, my Lord.

Hawk. Did you ſee me pick (or take) out of the ſaid *Noble*'s pocket, the ſaid Ring, or piece of Gold, or any thing elſe.

Boyce. I ſaw your hand in *Noble*'s pocket, but did not ſee you take any thing out of it.

Hawk. Did *Noble* ever tell you that I had pick'd his pocket of the ſaid Ring, or piece of Gold, or any thing elſe.

Boyce. No, but ſaid, he loſt them at that time.

Hawk. But you ſay that *Noble* was drunk at that time, and if ſo, it's poſſible he might be miſtaken.

Boyce.

Boyce. So he was drunk, and asleep likewise.

L. C. B. I think you were all drunk.

Hawk. Boyce, you might have done well, to have told Mr. *Noble* of this, when he told you that he had lost his Ring, and piece of Gold; but can you say any thing touching *Larimore*'s being Robb'd, or do you know that I am the Person that robbed him?

Boyce. No not I (my Lord) I cannot charge him.

Hawk. But you say that *Larimore Subpœnaed* you to be here, and that he bears your Charges.

Boyce. Yes (my Lord) and so he does.

Hawk. Mr. *Boyce*, if this be all you can say for *Larimore*, you will hardly requite his charges.

Hawk. My Lord, may I be heard, as to the evidence of *Boyce.*

L. C. B. You may go on.

Hawk. I humbly thank your Honour.

Hawk. This *Boyce* Swears, (My Lord,) that about two years last past he saw my hand in *Noble*'s pocket, and that *Noble* told him, he then lost a Gold Ring, and piece of Gold. (My Lord, I think (with Submission to your Honour and the Court,) I am not bound to answer to this Charge, because there is no Indictment exhibited against me for it, nor is *Noble* himself here to Prosecute, or can *Boyce* swear that I pickt *Noble*'s pocket, or that *Noble* ever told *Boyce* I did, (as he himself Swears.) But (my Lord) I observe (in this) the Malice of *Larimore*'s heart, (as well as in that of the Books,) for *Boyce* Swears that he can say nothing to *Larimore*'s Bill of Robbery, and yet he forces him to come from *London* hither, to start a senseless story about *Noble*'s Ring, and Gold, which is of near two years standing. (My Lord) if there had been any truth in it, why was not *Noble* (himself) here to prosecute; and why did he let it rest so long? I say again (my Lord) if it had been true that I had pick'd *Noble*'s pocket, and if *Larimore* had known it, I pray (my Lord) and you of the Jury, what had that concern'd *Larimore*; but my Lord, I am as clear of picking *Nobles* pocket as I am as of stealing *Chilton*'s Boots, and as clear of both these, as I am of robbing this fellow *Larimore*, (that now calls my Life in Question) nay, if he can fairly prove me guilty of one, I am willing to suffer, as guilty of all.

My Lord, I am bold to appeal to your Honour, whether it be a fair Prosecution in *Larimore*, to stir up *Chilton* (falsly) to charge me with Felony in stealing his Boots, when I had not only a right in them, but also leave (from him) to take them, and paid him for his work, (which *Larimore* himself knows. Nay (my Lord) if I had never paid *Chilton* for his Legs, the Tops being mine (by Law) it had not been Felony, but a Trespass, because I had leave from him to take them, and a right in them the Tops being mine, and again, (my Lord) I appeal to your Honour, whether it be fair in *Larimore* for him to ride

up and down City, and Country, to bring a multitude of Witneſſes together, that can ſay nothing to his Bill, (as *Boyce* ſwears he cannot) if this doth not diſcover malice in a Proſecutors heart, I know not what doth, and if that appears to your Honour, and the Jury to be in him, how far that ought, (as well by Law, as Equity, to fruſtrate his Evidence, I am willing to leave to your Honour, and the Jury, and ſo I have done as to *Boyce's* Evidence.

L. C. B. Larimore, have you any more?

Larimore. Yes (my Lord) *John Cox*, and *Francis Lucy*, they being both Sworn.

John Cox ſaid, (My Lord) I being in Mr. *Hawkin's* Company (not long ſince,) one asked him, how he thought to come off at the Aſſizes: Mr. *Hawkins* reply'd, he cared not much for this Plot, (tho he ſhould be Convicted,) for they could but burn him in the hand for it, and that he could bite out.

Lucy being ſworn, ſaid, that he heard Mr. *Hawkins* confeſs, that he owed *Larimore* 15 *s.* but becauſe he had dealt ſo (unjuſtly) with him, he would make it coſt *Larimore* fifteen times 15 *s.* before he would pay him.

L. C. B. ſaid this makes little to the purpoſe.

Come *Larimore*, Have you any more?

Lar. I think not (my Lord.)

L. C. B. If you have any more Witneſſes, call them, and they ſhall be heard, and do not ſay, when I am gone, that your Witneſſes could not be heard.

Lar. My Lord, I confeſs they have been fully heard, and I have no more to ſay.

L. C. B. ſaid to me, Sir, you have heard the Indictment againſt you, and the Evidence to prove it, you have heard the Charge, now ſay what you can for your own Defence, and you ſhall be heard.

Hawk. I humbly thank your Honour; and I hope (my Lord) becauſe the Evidence is large, I ſhall have the more time allowed me, to make my Defence, (and if ſo) I doubt not but fully to open this Conſpiracy.

L. C. B. Do not fear that, for as they have been heard at large, ſo ſhall you likewiſe. (God forbid elſe.)

Hawk. I humbly thank your Honour, and do promiſe to be as brief as conveniently I can; and as I intend to offer nothing but the naked truth. So I will ſay no more, (if I am not misinformed) than I can prove to be true. And (my Lord) becauſe it may ſeem neceſſary for me to offer many things (by way of Defence) in anſwer to ſo great a Charge, (to ſave time) I pray, that it may not be expected by your Honour, or the Jury, that I ſhould call Witneſſes to prove every particular; but when I offer ſuch things, as are moſt material, if either your Honour, or the Jury be not fully ſatisfied touching the truth of ſuch material points, I do humbly pray, that I may be called upon to prove them, for when I am not called upon for proof, I ſhall under favour (my Lord) take it for granted, that I am believed. And for Method herein, (if I may have leave) I do intend this.

1. In

1. In General, to ſhew how improbable it is, that I ſhould be guilty of this Robbery, and alſo deliver ſome hints to move the Court, and Jury to Queſtion whether this Proſecutor (*Larimore*) was Robbed at all, or no?

And 2ly. More particularly to examine the Evidence, as to matter of Fact.

L. C. B. Go on Sir, to your Defence.

Hawk. May it pleaſe your Honour, and you of this Jury, I begin with the firſt part of my Defence, which is, to hint how unlikely it is, that I ſhould be guilty of robbing this *Larimore*.

1. *Larimore* is Generally known to be a notorious Anabaptiſt, and an Enemy to the Church of *England*, and a hater of the Miniſtry in General; but more particularly, he is moſt Envious, and Malicious againſt my ſelf, becauſe I ſued him for Tyths, and cauſed him to be Indicted, for not coming to Church, or Baptizing his Children; for which reaſon, his Malice againſt me hath appeared notorious ſeveral ways, as, (amongſt others,)

1. By diſſwading all that owed me any money, not to pay me.

2. By his inducing thoſe to whom I owed mony, to arreſt, and trouble me.

3. By diſſwading thoſe that I ſued for Tyths, not to agree with me; he promiſing them, that Sir *John Croke*, and himſelf would force me to run the Country, ere long.

4. By his continual tormenting, and vexing me with his falſe Arreſts, and illegal Indictments.

5. By his conſtant endeavour to diſſwade my friends from (any ways) relieving me, or mine, in my greateſt wants, and neceſſities, adviſing them to ſtarve us.

My Lord, and this Jury, if you are not fully ſatisfied in any of theſe particulars that I have alledged, I am ready to prove them; but if this be granted, they are (no doubt) ſufficient Arguments, to prove the malice of his heart. Again I ſay, that it is no ways poſſible, that *Larimore* was Robbed (at all) and of this opinion are moſt of his Neighbors round about him, as may appear by this Certificate) which followeth.

WE do humbly certifie, that Henry Larimore *of* Chilton *in the County of* Bucks, *Labourer, is a notorious Anabaptiſt, an Enemy to the Church of* England, *and a perfect hater of all Miniſters of the ſame, but in particular, moſt Inveterate, and Malicious againſt* Robert Hawkins *Clerk, late Miniſter of the Church of* Chilton, (*aforeſaid,*) *for that he doth not only ſeek, and deſign utterly to ruin the ſaid* Mr. Hawkins (*himſelf*) *but makes it his buſineſs, and daily practice, to inſtigate others to do the like, and for no other cauſe,* (*as he hath often confeſſed himſelf*) *but for that, the ſaid* Mr. Hawkins *hath cauſed him to be Indicted for not coming to Church, and Sued him for Tyths; And we do verily believe, and are fully ſatisfied in our Conſciences that the ſaid* Mr. Hawkins *is not* (*at all*) *guilty of the pretended Felony, in Stealing the Ring,*

and

and piece of Silver, which the ſaid Larimore *hath Charged him with, but that it is a meer contrivance inehoated, and ſet on foot by the ſaid* Larimore, *Sir* John Croke, *and others, on purpoſe to Revenge themſelves. And we do alſo believe, that the ſaid* Mr. Hawkins *is a very Honeſt Man, and that he is a very able Miniſter, and a true, and faithful labourer in Gods word, and never heard that he was ever ſuſpected (in the leaſt) of Felony, till this Malicious Proſecution, which is by the ſaid* Larimore, *and others, whom the ſaid* Mr. Hawkins *ſueth for Tyths,*

Witneſs our Hands, *March*, 8. 1668.

Michael Read, Gent.
William Read, Gent.
Mrs. *Bulſtode*, Widow.
Mr. *John Bulſtrode.*
John Turner.
Joſeph Parſons.
Nicholas Faulkner.
Mr. *William Bulſtrode.*
John Chilton.
The Widow *Paverell.*
Robert Sanders.
Chriſtopher Hinton.
John Mortimore, Sen.
Mr. *John Daniel.*
Mr. *John Clarke.*
The Widow *Clare.*
William Landſdell.
William Bouden.
John Newman.
Thomas Coles.
The Widow *Newman.*
Robert Barlow.
Theophilus Sanders.
John Sanders.
John Mortimore, Jun.
Mr. *Henry Golder.*
Mr. *Thomas Sanders.*
Mr. *Henry Lovell.*
Mrs. *Lovell*, Widow.
Owen Gibſon.
Mr. *Tho. Sanders*, Sen.
Robert Caſemore.
Edward Jarvice.
Thomas Green.
Edward Barker.
John Grace.
John Freeman.
Richard Carr.
John Carr.
John Acreman.
Thomas White.
Thomas Ludet.
The Widow *Meades.*
Richard Toms.
Joſeph Nero.
Richard Low.
John Culledge.
Richard Waude.
Theophilus Hinton.
Edward Clarke.
Jeffery Hart.
Richard Budd.
John Budd.
Thomas Higgs.
Roger Gye.
Robert Coxhead.
William Hitchcock.
John Powell.
Luke Turner.
Richard Badger.
John Golder.
John Newton.
William Collet.
John Beckley.
Richard Kenp.
The Widow *Acreman.*
Robert Flint.
William Beckly.
Robert Hicks.
John Barney.
Robert Steele.
Stephen Toms.
Robert Willet.
William neighbour.
Will Chittle.
Henry Parker.
William Aſh.
John Golder, Jun.

William

William Golder.
William Tipping.
Richard Goodwyn.
John Bosly.
Moses Collings.
Roger Carr.
John Cato.
William Hayward.
Edward Hollyman.
Abraham Quelch.
John Pymm.
John Carter.
William Toms.
Robert Bud.
William King.
Cadwalider Crawton.
William Ash.
Thomas Whyte, Sen.
Thomas Whyte, Jun.
David Turner.
Jonathan Hand.
John Young.
John Bedford.
John Norcutt.

By this Certificate, which you see subscribed with above an 100. names, wherein, many others (for brevity sake) are omitted, altho I made no use of it upon my Tryal; yet the World may see what an opinion *Larimore*'s Neighbors had concerning him, and his (pretended) Robbery; which Certificate I have for that purpose here inserted.

2. It is not likely that *Larimore* was robb'd, because he did not declare it to his Neighbours immediately, which doubtless he would have done, had any such thing befallen him.

3. Nor is he certain (as to the time,) when he was Robbed.

For 1. He told his Brother *Beamsly*, that he had lost the Ring and Five-shilling piece (in Question) before there was any difference between him and I: As may appear by this Certificate, under Mr. *Willcox*'s own hand, which is as followeth.

These are to Certifie all whom it may concern, that Tho. Beamsly *of* Chilton, *Tything-man, told me*, Charles Willcox *of* Long-Crendon, (*upon* Septemb. 19. *in the 20th. year of his Majesty's Reign*, An. Dom. 1668.) *That the Five-shilling piece of Silver, and the Stone-ring, which* Larimore *pretended he found in* Mr. Hawkin's *House, were both lost before there was any difference between the said* Larimore, *and the said* Mr. Hawkins; *and he further added, that his Brother* Larimore *told him, that he had an intent to search for the same Ring, and Five-shilling piece above a month before he did. This I can, and will depose, whensoever I shall be thereunto required.*

Witness my hand,
Octob. 1. 1668. *Charles Willcox.*

By this Certificate, it appears (by *Larimore*'s own Confession to his Brother *Beamsly*) that he had lost this Ring, and Five-shilling piece, before there was any difference between him and I, and seeing I began my Suit for Tyths in *Michaelmas* Term, 1665. against him, and others, as it is well known to the Inhabitants of *Chilton*, (and also may appear by the Records of the Exchequer.)

This is the first time, that *Larimore* said he had lost the Ring, and Five-shilling piece.

And that this is false, must needs appear, by what Mr. *Good*, and *Larimore* have already sworn in open Court, *viz.* that Mr. *Good* pawned the Five-shilling piece to *Larimore* at *Buckingham* Sessions last, (which Sessions were held upon the 9th. and 10th. of *July*, 1668.) which is near nine Months after the difference began.

And moreover, *Larimore* confessed upon his Examination before Sir *John Croke*, when I was Committed, (which was upon the 19th. of *Sept.* 1668.) that he had lost the Ring, and Five-shilling piece a month before, which must (consequently) be about the 19th. of *August*, 1668. And if so, how is it possible that he could have lost them before the difference began betwixt us, which was above ten Months before?

3. He now swears in open Court, that he saw me steal the said Gold Ring, and Five-shilling piece of Silver, out of his house upon *Friday* the 18*th.* of *Sept.* 1668. (precisely) an hour and half before Sun-set; all which times being compared together, can no ways be possible; for which, I dare appeal to all that hear it. Nor is it likely, in case he could prove that he was robb'd, (which I am confident, he never can) that I am the Person that robbed him; as may appear upon these considerations, amongst others.

1. Is it likely that I should commit a Robbery in my own Parish, (in the day time) where all that saw me, must needs know me, and at the house of such a person as this *Larimore* is, that had solemnly Swore (but a little before) that he would take away my life, as may appear, by what his Son said to *Anne Scholy*?

2. Is it probable, that if I were Guilty, I would not have made my escape, having twenty four hours time, and four or five hours notice after they first attempted to search my house; or that in all that time, I could find no better place to conceal a Ring, and Five-shilling piece, than in a little basket with two or three eggs, (which all that time was hanging upon a pin.)

Again, if *Larimore* saw me rob him upon the 18th. day of *Sept.* 1668. (as he swears he did) why did not he then secure me? He swears, I ran away, why did not he send out Hue and Crys, to discover, and apprehend me? But the said *Larimore* was so far from doing it, that he never declared it to any of his Neighbors, nor to the Constable, when he commanded him to search, as may appear as well by the search it self, (in that they searched other Houses before they searched mine,) as by the Constable's Oath, who swears, that *Larimore* said not any thing to him, that he had seen me rob him, nor did the said *Larimore* declare it to Sir *John Croke*; for if he had, Sir *John* (no doubt) would have inserted it in the Mittimus, which he hath not done, Nor did he declare it to Sir *Richard Pigott*, from whom he fetch'd his Warrant to search, as may appear by the contents of it.

Whereupon

Whereupon, my Lord Chief Baron *Hale* calling to the Conſtable for the Warrant, (which being delivered) the Judge (himſelf) immediately eſpied, that the ſaid Warrant, bore date a day beore the Robbery was committed, which, when my Lord obſerved, he asked *Larimore* if he fetched this Warrant to Search for this Ring, and Five-ſhilling-piece ; to which *Larimore* replied, he did, and then my Lord asked *Larimore* upon what day he was Robbed, he replied, upon *Friday*, the 18th of *September*, 1668.

L. C. B. How comes it then to paſs, *Larimore*, that the Warrant bears date the 17th. day, and you Swear, that the Priſoner at the Bar did not Rob you till the 18th. day? This is likely to be true.

Larmore To this replied, that he was robbed at ſeveral other times.

Hawk. (My Lord) may I be heard a word.

L. C. B. You may may go on.

Hawk. I humbly thank your Honour. And I hope the Jury will take notice how *Larimore* hath enſnared himſelf, by the date of the Warrant, which my Lord firſt diſcovered. And whereas *Larimore* replies, that he was Robbed at ſeveral other times, he may have credit, (but by thoſe only that can believe all that he hath ſaid and ſworn ;) For he ſaith that he was robbed before he and I differed, which muſt be before *October*, 1667. and he told Sir *John Croke* likewiſe (when I was committed,) that he was robbed of the foreſaid Goods but a month before, which muſt needs be about the 19th. of *Auguſt*, 1668. but now he ſwears in Court, that he ſaw me ſteal theſe Goods on *Friday*, the 18th. of *Sept.* 1668. which muſt needs be impoſſible, that I ſhould rob him at three ſeveral times of the ſame Ring and Five-ſhilling piece ; and beſides this, it is improbable, that he ſhould be robbed before, *October*, 1667. and again in *Aug.* 1668. becauſe he never declared any of theſe Robberies to any perſon, before the 16th. of *Sept.* 1668. (upon which day, he, and Sir *John Croke* concluded upon this Conſpiracy, as hereafter we ſhall make appear ; And moreover, *Larimore* (himſelf) confeſſed even now, that he fetch'd this Warrant to ſearch for this very Ring and Five-ſhilling piece (which now he denys.) By this, all may ſee, how notoriouſly he contradicts himſelf.

L. C. B. ſaid to *Larimore*, thou art very cunning, to be provided with a Warrant, a day before you was robbed. It ſeems you knew upon the 17th. day, that you ſhould be robbed on the 18th. day, and alſo, that this perſon (now at the Bar) ſhould Rob you. Surely, you can Divine. Here the people began to cry out ſhame on *Larimore*.

L. C. B. ſaid to me, Sir, but if you were innocent of this Robbery, why did you refuſe to open your doors, or to have your Houſe Search'd ?

Hawk. My Lord, I had ſeveral reaſons, that moved me ſo to do.

1. in General, moſt of thoſe perſons that were preſent, were my inveterate enemies, and ſeveral of them had threatned to ruine me, and my Family; and therefore, I had reaſon to ſuſpect, that they came to injure me, either in my poſſeſſion, or Goods: For the firſt, Sir *John Croke*, and *Larimore*, had often threatned to pull down my Houſe, and for that end, had hired ſeveral perſons, to make a forcible entry upon it, and particularly, they had lately hired *Jaires* the ſon of *Leonard Styres* of *Thame*, (in the County of *Oxon*) by a Ladder to climb up, and run down my Chimney, and open my doors, when we were all abroad: And about the ſame time they alſo contracted with one *Chriſtopher Tyler* of *Chilton* for the ſame purpoſe. And 2. I feared the ſeizing of my Goods by the ſaid perſons, becauſe they had then a Writ of *Levary* (or Execution) to ſeize them, which *Larimore*'s Son had a few days before in part executed, and he was then preſent; And if theſe reaſons are not ſufficient, I have more to juſtifie my act, in refuſing to have them ſearch my houſe, which was all (my Lord) I ever denied, for I then declared my ſelf willing that Mr. *Sanders* the other Conſtable, (he being then at the next door) might charge whom he pleaſed, and ſearch as narrowly as he could.

L. C. B. ſaid, Mr. *Hawkins*, can you prove what you have ſaid?

Hawk. Yes, my Lord, which particular ſhall I prove?

L. C. B. Prove that about the Ladder, if you can.

Hawk. I pray my Lord, call *John Acreman*: He being called, did fully juſtifie what I ſaid concerning their intended forcible Entry, and added farther, that he did help to ſet up the Ladder for that purpoſe, being called by Sir *John Croke*'s own Sons, they and *Larimore* ſtanding by all that time to watch. And touching the ſecond particular, concerning the ſeizing of my Goods, Mr. Sheriff himſelf can juſtifie, that they had then in their hands ſuch a Writ: (my Lord) he is in Court, if your honour pleaſe to call him.

And for the 3. Particular, that I ſhewed my ſelf willing that Mr. *Sanders* ſhould Search, I can prove (my Lord) by theſe Witneſſes following, *viz.* *Michael Reed*, Gent. Mr. *Thomas Sanders*, Mr. *Henry Golder*, *Robert Caſemore*, Mr. *Charles Willcox*, and ſeveral others that were preſent; my Lord Chief Baron hearing theſe Reaſons fully proved, commended my diſcretion, in not opening my doors, and he added further, that he ſhould have done as much himſelf, ſaying it was a foul buſineſs, and the Judg (then looking towards Sir *John Croke* with an angry Countenance,) ſaid to me, Sir, is this Sir. *John Croke* concerned in this buſineſs?

Hawk. If it may pleaſe your honour (my Lord) with permiſſion, I ſuppoſe that Sir *John Croke* is deeply concerned in this Conſpiracy, and I doubt not but to make it appear to the World, (if I may be heard)

L. C. B.

L. C. B. You need not fear that, for you ſhall have time; go on.

Hawk. I humbly thank your Honour; and I crave leave to call two Witneſſes, *viz.* Mr. *Charles Willcox*, and Mr. *Samu'l Browne*; both theſe being called, Mr. *Willcox* ſaid, If it may pleaſe your Honour, my Lord, upon *Friday* the 18th. of *Septemb.* 1668. I was at *Larimore*'s houſe (in *Chilton*, from noon till it was near night) with *Larimore*, a driving of ſome bargain about Tyles, and other things, and, my Lord, Mr. *Hawkins* was not at *Larimore*'s houſe all that afternoon, nor did I hear any thing at all then, that *Larimore* was robb'd, which (my Lord) I muſt needs have done, if he had been robbed that afternoon, for I was there.

L. C. B. At what time came you to *Larimore*'s houſe Mr. *Willcox*? take heed what you ſay.

Willcox, Before noon my Lord.

L. C. B. Mr. *Willcox*, how long did you ſtay there?

Mr. *Willcox*. Until it was near night my Lord.

L. C. B. Was *Larimore* with you all that time?

Mr. *Willcox*. Yes, my Lord, for we were about to bargain for ſome Tyles, and other things.

L. C. B. Are you ſure that it was upon the 18th. of *September* that you was at *Larimore*'s houſe?

Mr. *Willcox*. I am ſure, my Lord, that it was upon the 18th. of *September* that I was there, and the day before Mr. *Hawkins*'s houſe was broke open.

L. C. B. What day of the Week was it upon?

Mr. *Willcox*. It was upon a *Fryday* my Lord, and Mr. *Hawkins*'s houſe was broken open on the next day, it being *Saturday*.

Lar. It was upon *Thurſday*, my Lord, that Mr. *Willcox* was at my houſe, it was not upon that day that my houſe was robb'd, but the day before.

Sir *Ralph Verney* replied, No, no, *Larimore*, it could not be on the *Thurſday*, that Mr. *Willcox* and you were together at your houſe, for that was the 17th. day of *September*, and that was the day you was buſied in fetching your Warrant from Sir *Richard Pigott*.

L. C. B. It is well obſerved Sir, and ſo he was, and therefore it could not be on the *Thurſday* that Mr. *Willcox* was with him at his houſe.

Sir *Richard Pigott* replied, I am ſure (my Lord) that *Larimore*, and that fellow the Conſtable were both at my houſe upon the 17th. of *September*, as my Warrant teſtifieth.

L. C. B. At what time was it, Mr. *Willcox*, when you came that day from *Larimore*'s houſe?

Mr. *Willcox*, It was about Sunſet, my Lord, for it was dark by that time I got to my houſe at *Crendon*.

L. C. B. How far is it from your houſe at *Crendon*, to *Larimore*'s houſe?

Mr. *Willcox*, It is about a mile and half, my Lord.

L. C. B. Were not the ways bad at that time?

Mr. *Willcox*, No, my Lord, the ways were very good.

L. C. B. Did not you ſtop, or ſtay, or meet with ſome body by the way that might hinder you?

Mr. *Willcox*. No, My Lord, I went a good pace, it being near night, my Lord, I was afraid of being benighted, and yet it was dark by that time I got home.

L. C. B. You that are of the Jury, do you know this Mr. *Willcox*, of what credit is he?

Jury. We have known him a long time, and we know no harm by him.

L. C. B. He looks with an honeſt face, and you *Larimore*, do you know what that honeſt man, Mr. *Willcox* ſays? do you know him, and did you ever ſee him at your houſe?

Lar. Yes, my Lord, I know him well.

L. C. B. Larimore, do not you remember that he was at your houſe upon *Fryday* the 18th. of *September*, 1668.

Larimore replied, No, my Lord, ſure it was not upon that day that I was robbed.

My L. C. B. *Hale* Replied, *Larimore*, No, in my Conſcience thou ſay'ſt well, for it ſeems you were not robbed upon the ſame day, that you have Sworn you ſaw the Priſoner at the Bar commit this Robbery.

Hawk. My Lord, or upon any other day, (as I do verily believe.) And here many of the People cryed out, that they believed as much.

L. C. B. If that man Mr. *Willcox* ſpeaks true, then all is falſe that *Larimore*, his Son, and Siſter, hath ſworn, &c.

Come Mr. *Hawkins* ſaid my Lord Chief Baron, have you any more to ſay?

Hawk. I have one witneſs more, that I deſire may be called, *viz.* Mr. *Samuel Browne*.

L. C. B. Yes, yes, call him, come Mr. *Browne*, what can you ſay?

Mr. *Brown* ſaid, my Lord, I can ſay ſomething, but I dare not ſpeak.

L. C. B. Why dare you not? Come, ſpeak the truth; and ſpare not, and ſay no more.

Mr. *Brown* ſaid, I dare not ſpeak, for Sir *John Croke*, and this *Larimore* have threatned me, that if I came down to this Aſſizes, to teſtifie what I heard about this plot, Sir *John Croke* ſaid, he would fling me in the Gaol, and load me with Action upon Action of a 1000l. and ruine me and my Family.

When the Judge, and the Juſtices heard Mr. *Brown* relate this, every eye began to be fixt upon Sir *John Croke*, and the People asked which was that Sir *John Croke*? Then my Lord Chief Baron *Hale* commanded the Clerk of the Aſſizes to give Mr. *Browne* a Writ of Priviledge, to protect him home again: which being immediately done in Court, my L. C. B. ſaid, Come Mr. *Browne*, let us now hear what you can ſay to this buſineſs?

Mr.

Mr. *Brown* ſaid; If it may pleaſe your honour, (my Lord) upon *Wedneſday*, the 16th. of *Septemb.* laſt paſt, (early in the morning) as I lay in my Bed at Sir *John Croke*'s houſe in *Chilton*, hearing a great noiſe, (I being then entruſted by Sir *John Lentall*, as keeper to Sir *John Croke*, which is a Priſoner at the Kings Bench,) I fearing that they were contriving ſome way for him to eſcape, I ſtarted ſuddenly out of bed,(having nothing on but my ſhirt,)and ſtood at the Dining-room door behind the hangings, and then, my Lord, I heard this *Larimore* tell Sir *John Croke* that he had undone him, by cauſing him to contend with the Parſon. Sir *John Croke* asked him why? *Larimore* replied, becauſe this *Hawkins* will undoe me, for he hath entred me into moſt Courts of *England*,and ſummoned me into the Crown Office and Chancery, and I cannot maintain ſo many Suits: Sir *John Croke* replied, is that all? Come brother *Larimore*, be contented, we will have one trick more for *Hawkins* yet which ſhall do his work. *Larimore* replied, Sir *John* you have put me upon too many tricks already, more than I can manage, and the Parſon is too hard for us ſtill. Sir *John* replied, [If thou wilt but Act, I will Hatch enough to Hang *Hawkins*.] *Larimore* replyed, but how ſhall we bring this to paſs? Sir *John Croke* made anſwer, [Canſt not thou conveigh ſome Gold, or Silver into Mr. *Hawkins* his Houſe, and have a Warrant ready to ſearch his houſe, and then our Work is done.] *Larimore* replyed, Sir, if we could but bring this to paſs, it might do well, but I know not how. Sir *John Croke* ſaid to *Larimore*, Do you but go to Sir *Richard Pigott*, and inform him, that you have loſt ſome Money, and Goods, and deſire his Warrant to ſearch for them, (which Sir *Richard* neither can, nor will deny you) and then take *Dick Mayne* the Conſtable, (who is one of us, and will do whatever we deſire of him,) and go and ſearch Mr. *Hawkins*'s houſe, and there you will find theſe things; and then Charge him with flat Felony, and force him before me, and no other Juſtice, and i'll ſend him to the Gaol without Bayle, [And we will hang him at the next Aſſizes.] Come, ſaid Sir *John Croke*, Brother *Larimore*, let us go and drink our mornings draught, and we will conſult more about this buſineſs. And ſo, my Lord, I heard no more for that time. But——

L. C. B. That was enough, and too much too, but however, Mr. *Brown* go on.

Mr. *Browne*. So upon *Saturday* next, (being the 19th. of *Sept.* 1668.) I having been abroad (and towards night) coming up the Town, I was informed that Mr. *Hawkins* (as *Larimore* pretended,) had robbed him: I then began to think more ſeriouſly upon what I had heard paſs the *Wedneſday* before, between Sir *John Croke* and this *Larimore*, and coming to Sir *John*'s houſe, I ſaw a paper lying upon the Hall-Table full of writing, and *Larimore*, with the Conſtable, and ſeveral others, had brought Mr. *Hawkins* before Sir *John Croke*, who Committing Mr. *Hawkins* for Robbing *Larimore*, as he pretended, took up the ſaid paper,

paper, and read it to the Constable, and said, that it was Mr. *Hawkins*'s Mittimus, which said Mittimus was written before Mr. *Hawkins* came to Sir *John Croke*, (as all that were there can justifie.) And on *Sunday* morning I went to an Alehouse, where they had kept Mr. *Hawkins* all night, and there I saw Mr. *Hawkins* go to the Gaol, and then my heart began to tremble, and yet I durst not discover any thing of what I had heard; but coming home, I said to Sir *John Croke*, Sir, What, they have carried the poor Parson to the Gaol. Sir *John Croke* replied, [Yes, let him go, and the Devil go with him, and more shall follow after;] have I not often told you, that if my Brother *Larimore* and I, did but lay our heads together, none are able to stand against us? I replied, Yes, Sir *John*, I have often heard you say so, but I never believed it until now.

L. C. B. Mr. *Brown*, Is all this true which you have related?

Mr. *Brown*. Yes, my Lord, all that I have said is true, and there sits Sir *John Croke*, (pointing to him with his finger) who knows, that every word that I have said is true.

L. C. B. If but ever a word that Mr. *Brown* saies be true, it is as foul a Conspiracy as ever was heard of.

About this time Sir *John Croke* stole away from the Bench, without taking his leave of my Lord Chief Baron; or any of the Justices.

My L. C. B. said, Is this Sir *John Croke* a Gentleman, and contrives such Plots as this? I never in all my days heard of the like: but I think once in this place, I met with one something like it, but this far exceeds that, if this be true that Mr. *Browne* hath said.

this is repeated p. 33 [illegible] wh is its proper place.

But you of this Jury, there is an honest man, said my Lord, pointing to Mr. *Willcox*, he overthrows all; if that be true which he said, then all that is false which *Larimore*, his Son, and Sister hath sworn.

Larimore said, My Lord, what I have sworn as to Mr. *Hawkins* is true.

My L. C. B. replied, Come, *Larimore*, thou art a very Villain: *Larimore* said, I wish that the Ground may open, and swallow me, if any thing that I have sworn against Mr. *Hawkins* is false.

L. C. B. Replied, Come, come, *Larimore*, thou art a very Villain, Nay, I think thou art a Devil.

Hawk. I hope your Honour, and this Jury, are by this time fully convinc'd, that Sir *John Croke* is concerned in this Plot, for (my Lord) he hath appeared all along to be the Grand contriver of it, as appears by Mr. *Brown*'s Testimony, and by what he said to *Larimore* before me and others.

L. C. B. Hales Replied, I am fully satisfied, and so (I think) are all that heard it; And he said to the Justices, Gentlemen, where is this Sir *John Croke*? They replyed, he is gone.

L. C. B. Is Sir *John Croke* gone? he said, Gentlemen, I must not

not forget to acquaint you, (for I thought that Sir *John Croke* had been here ſtill) that this Sir *John Croke* ſent me this morning two Sugar-loaves, for a Preſent, praying me to excuſe his abſence yeſterday, I did not then know, (ſo well as now) what he meant by them, but to ſave his Credit, I ſent his Sugar-loaves back again. Mr. *Harvey*, did you not ſend Sir *John* his Sugar-loaves back again?

Clerk of the Aſſize. Yes (my Lord) they were ſent back again.

L. C. B. I cannot think that Sir *John Croke* believes that the Kings Juſtices come into the Country to take bribes, I rather think, that ſome other perſon (having a deſign to put a trick upon him) ſent them in his name. And ſo taking the Letter out of his boſom, ſhewing it to the Juſtices, ſaid, Gentlemen, do you know this hand? To which ſome of them replied, they believed it might be Sir *John Croke*'s own hand, which Letter being compared with his Mittimus, (for he had no Clerk) and ſome other of his Writings there, it plainly appeared to be his own hand. So my L. C. Bar. ſeeing that, (putting up the Letter again into his Boſome) ſaid, he intended to carry that to *London*, and he added farther, that he would relate the foulneſs of the buſineſs as he found occaſions fit for it.

L. C. B. ſaid, Mr. *Hawkins*, have you any more?

Hawk. My Lord, I hope that the Jury, and your Lordſhip is fully ſatisfied as to my Innocency, if ſo, my Lord, but if not, I humbly deſire to know wherein I have not given full ſatisfaction, and if any thing elſe ſhall be alledged againſt me, I humbly crave time, and leave to anſwer it, for (my Lord) I am confident, I can give a fuller ſatisfaction, if what I have ſaid already be too ſhort.

L. C. B. You of the Jury, what do you think? The Priſoner at the Bar deſires to know whether you are ſatisfied as to the Indictment, if not, you may do well to declare wherein you are not ſatisfied.

Jury. It is a very plain caſe my Lord.

L. C. B. And I think ſo too, but it is a very foul one.

L. C. B. ſaid to me, Sir, have you any more?

Hawk. My Lord, I humbly thank your Honour, and the Court, for that great patience, and liberty I have had, and intend to ſay no more, but with *Quintilian* I conclude, *Innocentia melior eſt quàm Eloquentia*, Innocence is better than Eloquence.

My Lord Chief Baron. *Hale*'s Directions to the Jury were to this Effect.

L. C. B. ſaid, You that are of the Jury, the Priſoner at the Bar ſtands Indicted for Robbing this *Larimore*, and you have heard (at large) both the Proſecutors Evidence to prove him Guilty (which if you do believe) I never heard a fuller.

And 2. You have alſo heard the Priſoners Defence, wherein (as I think) he hath as fully anſwered the ſame Charge. I ſhall Firſt, repeat the Evidence againſt him, which conſiſts of two branches; the firſt is the Proſecutors proof of this Indictment, and Secondly, his charging him with other Crimes of the like nature, as the ſtealing of *Chilton*'s Boots, and the picking of *Noble*'s pocket.

1. For to prove him guilty of Robbing him, he obſerves this Method.

Firſt, He himſelf ſwears that he ſaw the Priſoner at the Bar commit the Robbery.

Secondly, His Son, and Siſter ſwears that they ſaw him run out of the houſe at the ſame time.

Thirdly, He brings in four or five perſons that ſwear the Gold Ring, and the Five-ſhilling piece, was found in the houſe of him, that is now the Priſoner at the Bar.

Fourthly and Laſtly, He proves by two witneſſes, that the Gold Ring, and Five-ſhilling piece was pawned to him.

And for the Firſt of theſe, *Larimore* ſwears that upon *Friday* the 18th. of *September* laſt paſt, he lockt his doors, between twelve, and one of the clock at noon, and went out, (leaving no body at home,) to pluck Hemp, about two Furlongs from his Houſe, where he ſtay'd with the reſt of his Family till within an hour and half of Sunſet, at which time, he coming home, found his doors open, and ran up into his Chamber, and there through the chinks of of the Loft-boards, he ſwears that he ſaw the Priſoner, now at the Bar, ranſacking, and rifling of a Box, in the which was at that time a Holland Apron, and a Purſe, in which Purſe was two Gold Rings, two pieces of Gold, and 19s. in Silver, all which ſaid Rings, Gold and Silver, with the ſaid Apron, he ſwears that he did ſee the Priſoner now at the Bar, turn out of the ſaid Purſe, take, and Feloniouſly carry away, (except one piece or two of the Silver,) and ſhews the very Purſe out of which he ſaw him take them. If you compare the Evidence with the Indictment, you may ſee the policy of the Proſecutor. For, he would gladly ſeem a moderate Proſecutor, by Indicting him for Felony only, as the ſtealing of Rings and Money, &c. But by his Evidence, he would as gladly charge him with Burglary alſo, for he ſwears, he broke open, or pick'd the Locks of his Doors, and Box, which by Law is the ſame.

And Secondly, To corroborate this his evidence, he brings in two Witneſſes more, *viz.* his Son, and Siſter *Beamly*, and they ſwear that they did (at the ſame time) ſee the Priſoner that is now at the Bar) run out of *Larimore*'s houſe, with a great bunch

of

of keys in his hand, and he hid himself amongst Beans and weeds And note the keys, to intimate that by the help of those, he pick'd *Larimore*'s Locks.

Thirdly. He brings in his Son, *Dodsworth Cooke*, the Constable, and Tything man, which all swear that they found this Gold Ring, and Five-shilling piece of Silver in a basket hanging upon a pin, in the house of the Prisoner at the Bar with a few Eggs, which the Prisoner at the Bar, the day before had stoln from him.

And Fourthly and Lastly, He brings in one of Sir *John Croke*'s Sons, and Mr. *Good*, who swear, that the one pawn'd the Ring, the other the Five-shilling-piece to *Larimore*.

Thus *Larimore* Swears he saw the Prisoner Rob him, his Son, and Sister swear that they saw him run out of the house, the same time four more swear, that they found the Ring, and Five-shilling-piece in his house upon search; And Lastly, two swear that the Ring and Five-shilling piece was pawned to him. If all this be true, he must needs be guilty, and if so, (altho I have a great respect for his Calling, yet that shall no ways excuse him but rather aggravate his Crime.

And thus much touching the Indictment.

And Secondly, He seems to charge him with other Acts of the like nature; as

1. He brings in one *Chilton* to swear that the Prisoner at the Bar did steal a pair of Boots from him, and four or five Persons swear, that they did hear *Chilton* say he did.

2. He brings one *Boyce* from *London*, a person, I think, of no great Credit, he swears that he saw the Prisoner at the Bar, (about two years ago) have his hand in the pocket of one *James Noble*, and that *Noble* said, that he lost a Gold Ring, and piece of Gold at the same time. This, (if true) would render the Prisoner now at the Bar obnoxious to any Jury. Thus far the evidence against the Prisoner at the Bar.

Now we come to the Prisoners Defence, which because it is so full, I shall be the briefer in it. The parts of his Defence were two, as himself observed.

1. He shews how too improbable it is.

And 2. How impossible that he should be guilty of this Charge.

First, That it is not likely that *Larimore* was robbed at all, because he did not declare it to any of his Neighbors, as soon as he saw the Robbery Committed; again, he varies as to the time when it was done, for that he told his Brother *Beamsly*, that he had lost the Ring and Five-shilling-piece, before there was any difference between him, and the Prisoner at the Bar, as appears by Mr. *Willcox*, and that difference began in *Michaelmas* Term, 1667. And before Sir *John Croke* he confessed that he had lost this a month before the Prisoner (*viz.* Mr. *Hawkins*) was committed, which must be about the 19th. of *August* 1668.

And

And in Court he ſwears that he ſaw the Priſoner at the Bar Rob him of the ſame Gold Ring, and Five-ſhilling-piece of Silver, upon *Friday* the 18th. of *September* 1668. an hour and half before Sunſet, all this cannot be true, and for the Warrant, that bears date a day before the Robbery was committed: 'Whereupon the Judge ſaid to *Larimore*, Come, thou art a cunning fellow, for thou went'ſt to Sir *Richard Pigott* for a Warrant upon the 17th. day, and waſt not robb'd until the 18th. day, *Larimore* thou knoweſt it ſeems, upon the 17th. day that thou ſhould'ſt be robbed on the 18th. day, that the Priſoner now at the Bar, ſhould rob thee: Surely Thou canſt Divine, if all this be true.' Again, is it likely, that when the Priſoner at the Bar was charged with flat Felony at his own doors, the Conſtable likewiſe threatning to break open his Houſe to ſearch, if he had been guilty, his Wife and himſelf, having the opportunity of going abroad after they had ſo Charged him, while they were gone to conſult with Sir *John Croke*, as the Priſoner at the Bar ſufficiently proved, they did by the Teſtimony of ſeveral Witneſſes, (as Mr. *Reed*, Mr. *Sanders*, and others) that in all that time he would not have made his eſcape, or at leaſt found a more convenient place to convey a Ring, and Five-ſhilling piece, than to let it remain all that time in a little Basket with a few Eggs, (hanging on a Pin?) Again, who came firſt into the Room where this Egg-Basket hung? why *Larimore*; and who took down the Basket? *Larimore*; who turned out the Eggs? *Larimore*. And who had the dreſſing of the Eggs? *Larimore*. He is a ſpecial Cook; you Gentlemen of the Jury, it is an eaſie thing, for *Larimore* to juggle a Ring, and Five-ſhilling-piece into a Basket he being the firſt that came into the Room, as he put up his hand to take down the Basket, he might with eaſe enough, conveigh ſuch things as thoſe were, into it. All this, and many more, are probable Circumſtances to move you, and me to believe, that it is not poſſible, that the Priſoner at the Bar is guilty of this Robbery; But that I muſt leave to you to conſider of.

this is to be found at p. 23. as is its proper place

Again, The Priſoner at the Bar proves the whole buſineſs to be but a meer Contrivance of Sir *John Croke*'s, and this *Larimore*'s, (on purpoſe to ruin him) as is fully made manifeſt by the Teſtimony of Mr. *Browne*, who juſtifies, that upon *Wedneſday* the 16th. of *September* laſt paſt (and but two days before this pretended Robbery) he heard Sir *John Croke* adviſe this *Larimore*, to fetch a Warrant to ſearch the Houſe of the Priſoner at the Bar, and then to conveigh Gold and Silver into it; which having done, Charge him with flat Felony, and bring him before the ſaid Sir *John Croke*, and no other Juſtice, he then promiſing to the ſaid *Larimore* to Commit him to the Gaol without bayle, and hang him at the next Aſſizes, which is now. And as I take it, they do aim at it. You of this Jury, if you do believe what Mr. *Browne* ſaith, it is as foul a Conſpiracy, as ever was heard of: And I am apt to think it may be probable, be-

cauſe

cauſe that Sir *John Croke*, and *Larimore* did threaten to caſt this Mr. *Browne* into Priſon (and ſo ruine him) if he came down, and teſtified his knowledge about this buſineſs, which thing is of a very ill conſequence. Again, it ſeems likely that Mr. *Brown* may be credited, if you compare their Actions with the Times, for upon *Teuſday* Sir *John* Arreſted the Priſoner upon a (feign'd) Action of an 100l. upon *Wedneſday* the Plot was concluded upon, by Sir *John Croke*, and *Larimore*, as may appear by Mr. *Browne*'s Teſtimony. On *Thurſday*, they procured of Sir *Richard Pigott* the Warrant to Search: On *Friday Larimore* pretends that he was Robbed, (tho in truth there appears no ſuch thing.) Upon *Saturday*, the Priſoner's Houſe was broke open, and he apprehended; and upon *Sunday* he was carried to the Gaol, it was a good weeks work. But there is an honeſt man, ſaid my Lord Chief Baron (pointing at Mr. *Willcox*) he knocks down all, for he juſtifies, that he came to *Larimore*'s houſe upon *Friday*, the 18th. of *September* laſt paſt, (it being the ſame day, that he ſwears he ſaw the Priſoner at the Bar Robbing him, and an hour an half before Sunſet;) and there continued till it was near night, and he further ſaith, that *Larimore* was with him all that afternoon: And he ſaid, that *Larimore* was not Robbed that afternoon, nor was Mr. *Hawkins* there at that time. If this that Mr. *Willcox* ſaith be true, then all that *Larimore*, his Son, and Siſter hath Sworn, muſt needs be falſe.

And as touching the Boots, *Chilton* Swears that he had legg'd a pair of Boots for the Priſoner at the Bar, and laid them in his Shop-window, for him to take along with him as he went by, which he did, and paid him for his Work, and yet this *Larimore*, Sir *John Croke*, *Croxſtone*, and others, did uſe their utmoſt endeavours, to ſtir up this *Chilton* to Indict the Priſoner at the Bar, for Stealing of them; (*Croxſtone* promiſing him to bear him out in it.) This can argue nothing elſe but Malice in thoſe perſons; And for that which *Boyce* ſwears, is a Story that can argue nothing elſe; for neither is *Noble* hereto Proſecute, nor can *Boyce* Swear that the Priſoner at the Bar did pick his Pocket, or that *Noble* ever ſaid he did.

Thus I have repeated the Evidence to prove him Guilty, and have not (I think) omitted any thing in it that is material. Which if you do believe, he muſt needs be guilty. And alſo the Priſoners Defence, which (I think) is ſufficient, it is a plain caſe, and (I ſuppoſe) you need not go from the Bar, but that I leave to you.

And ſo the Jury, not ſtirring from the Bar, which the Clerk obſerving, he called the Jury, who ſeverally anſwered to their names, which being done, The Clerk of the Arraigns asked whether they were all agreed upon their Verdict.

Jury. Yes, we are all agreed.

Clerk. Who ſhall ſpeak for you?

Jury. Our Fore-man.

Clerk. Robert Hawkins, Hold up thy Hand, which I did.

Jury. Look upon the Priſoner at the Bar, How ſay you? Is he guilty of the Felony, whereof he ſtands Indicted, or not guilty?

Fore-man of the Jury ſaid, Not Guilty my Lord.

L. C. B. Hale ſaid to the Jury, you have found like Honeſt Men: I do believe, that he is not Guilty: and he ſaid to *Larimore*, thou art a very Villain.

Jaylor ſaid, Is Mr *Hawkins* (my Lord) diſcharged of his Imprisonment.

L. C. B. Replied, Yes, yes, he is diſcharged, paying his Fees.

Hawk. May it pleaſe your Honour, my Lord, I am poor, (and this, with other troubles, which they have (unjuſtly occaſioned,) hath coſt me a great deal of money already.

L. C. B. I cannot help that, nor can I give away other mens rights, if they will not remit their Fees, you muſt pay them.

Hawk. I humbly thank your Honour, and ſhall obſerve your Lordſhips Commands.

And ſo the Court aroſe, there being no other buſineſs, (but my Trial) the whole morning, which laſted from eight untill one. So as ſoon as my Trial was over, Sir *John Croke*, *Larimore*, and the reſt of that Crew, fled privately out of *Aliſbury*, and durſt not ſtay.

Thus, I have (as briefly as poſſible I could,) run over my Trial, and for the truth of it, I dare appeal to all that heard it, (which were hundreds) who can juſtifie, that I have given a juſt and faithful account of it.

This Conſpiracy may put us in mind to pray (with our Mother, the Church of *England*, in her Letany.

From all Privy Conſpiracy and Rebellion, Good Lord deliver us. Amen.

And with her, I am bound to give Thanks, and ſay always.

O *Almighty God, who art a ſtrong Tower of Defence, unto thy Servant againſt the face of his Enemies. I yield thee praiſe and Thanſgiving, for my Deliverance from thoſe Great, and apparent Dangers, wherewith I was Compaſſed, I acknowledge it to be thy Goodneſs, that I was not Delivered over as a Prey unto them; Beſeeching thee ſtill to continue ſuch thy Mercys towards me, that all the World may know, that thou art my Saviour, and Mighty Deliverer, through Jeſus Chriſt our Lord,* Amen.

Pſalm 21. 11. *For they imagined ſuch a device, as they were not able to perform.*

Pſal 37. 6. *He hath made my Righteouſneſs as clear as the light, and my juſt dealing, as the noon day.*

Pſalm

Pſalm 103. 1. *Praiſe the Lord O my Soul, and all that is within me, Praiſe his Holy Name.*

Verſe 2. *Praiſe the Lord, O my Soul, and forget not all his benefits.*

Verſe 4. *Who hath ſaved thy life from Deſtruction, and hath Crowned me with Mercy, and Loving-kindneſs.*

Verſe 20. *O Praiſe the Lord, all ye Angels of his.*

Verſe 21. *O Praiſe the Lord, all ye his Servants, that do his pleaſure.*

Verſe 22. *O ſpeak good of the Lord all ye Works of his.*

Pſalm 104. 35. *In all places of his Dominion, Praiſe thou the Lord, O my Soul, Praiſe the Lord.*

1 Kings 1. 34. 39. *God Save the King.* Amen.

FINIS.